

REMARKS

Claims 1-14, 26-29, and 31-35 are presently pending. Previously, Applicant had filed an Amendment after Final Rejection on August 21, 2002, in which certain amended and new claims were submitted for entry. In the Advisory Action mailed on September 27, 2002, the Examiner refused to enter the amendments. Therefore, it is Applicant's understanding that the August 21, 2002 filing did not affect the status of the pending claims.

In the Office Action of August 7, 2002, the Examiner has rejected claims 26-28 under 35 U.S.C. § 251 as allegedly introducing new matter into the application. While Applicant does not necessarily agree with this assertion, by the present Amendment, claims 26-28 have been cancelled without prejudice to their prosecution in a continuation reissue application. The cancellation of claims 26-28 obviates the rejection under 35 U.S.C. § 251 for alleged new matter.

The Examiner also has rejected claims 1-14, 26-29, and 31-35 as allegedly "being based upon a defective reissue oath/declaration." See Office Action, at page 3. The Examiner however has stated that the "receipt of an appropriate supplemental reissue oath/declaration will overcome" the rejection. See *id.* (emphasis added).

In this regard, Applicant notes that a proper supplemental reissue oath/declaration was filed on August 21, 2002. However, to facilitate the prosecution, Applicant encloses herewith a new supplemental reissue oath/declaration dated January 7, 2003. The filing of the supplemental reissue oath/declaration obviates the rejection based on alleged defect in the reissue oath/declaration.

On the basis of the foregoing, Applicant respectfully maintains that, upon filing of the present Amendment, no

rejected claims or unresolved issues will remain outstanding.
Therefore, claims 1-14, 29, and 31-35 are clearly in condition for allowance.

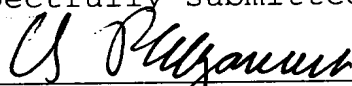
Early allowance is respectfully requested.

In the event that any issues require clarification, the Examiner is respectfully requested to contact the undersigned counsel at (908) 654-5000. If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: January 10, 2003

Respectfully submitted,

By



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